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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELIAS SOLIZ,

Defendant.

CASE NO. 1:23-MJ-00080-EPG
1:24-CR-00005-NODJ

STIPULATION TO VACATE HEARING, SET A
CHANGE OF PLEA HEARING AND EXCLUSION
OF TIME

DATE: January 11, 2024
TIME: 2:00 p.m.

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney ANTONIO J. PATAKA, and defendant ELIAS SOLIZ, both individually and by and through his counsel of record, JOHN GARLAND, hereby stipulate as follows:

1. The Complaint in this case was filed on October 27, 2023, and defendant first appeared before a judicial officer of the Court in which the charge in this case was pending on November 3, 2023. The court set a preliminary hearing date of November 16, 2023.

2. On November 15, 2023, the Court found good cause to continue the preliminary hearing to January 11, 2024, and excluded time under the Speedy Trial act from November 16, 2023 to January 11, 2024.

3. On January 10, 2024, the parties filed an Information, plea agreement, and waiver of indictment. The Court vacated the preliminary hearing and set the matter for arraignment and plea on the information for January 11, 2024, at 2:00 PM.

4. By this stipulation, the parties jointly move to vacate the arraignment and plea set for January 11, 2024, and set a change of plea hearing before the district judge for January 22, 2024, and to exclude time under the Speedy Trial act from January 11, 2024, to January 22, 2024.

5. The parties stipulate that the delay is required to allow the defense reasonable time for preparation for the change of plea hearing and to gather evidence in mitigation for sentencing. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

6. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between January 11, 2024, and January 22, 2024, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: January 10, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ANTONIO J. PATACA
ANTONIO J. PATACA
Assistant United States Attorney

Dated: January 10, 2024

/s/ JOHN GARLAND
JOHN GARLAND
Counsel for Defendant
Elias Soliz

FINDINGS AND ORDER

1. The arraignment and plea set for January 11, 2024, is hereby vacated.

2. An arraignment on the Information and a change of plea hearing is set before the district judge for January 22, 2024.

3. Time under the Speedy Trial act is excluded from January 11, 2024, to January 22, 2024, to allow the defense reasonable time for preparation for the change of plea hearing and to gather evidence in mitigation for sentencing. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

IT IS SO FOUND AND ORDERED.

IT IS SO ORDERED.

Dated: January 10, 2024


UNITED STATES MAGISTRATE JUDGE